

## CHAPTER 242

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**EDUCATION - UNIVERSITIES AND COLLEGES**

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**HOUSE BILL 09-1290**

BY REPRESENTATIVE(S) Nikkel and Apuan, Balmer, Benefield, Gardner B., Gardner C., Gerou, Kefalas, Kerr J., King S., Lambert, Looper, Marostica, Murray, Priola, Rice, Ryden, Schafer S., Stephens, Summers, Tipton, Todd, Vigil, Baumgardner, Frangas, Labuda, Pace, Roberts;  
also SENATOR(S) Harvey, Bacon, Boyd, Brophy, Carroll M., Foster, Gibbs, Groff, Heath, Hodge, Isgar, Kester, King K., Kopp, Lundberg, Mitchell, Morse, Newell, Penry, Sandoval, Scheffel, Schultheis, Schwartz, Shaffer B., Tochtrop, White, Williams.

**AN ACT**

**CONCERNING INCREASING THE MAXIMUM AMOUNT OF MONEY THAT THE COLORADO COMMISSION ON HIGHER EDUCATION MAY ALLOCATE FOR THE PURPOSE OF PROVIDING TUITION ASSISTANCE TO MEMBERS OF THE NATIONAL GUARD, AND MAKING AN APPROPRIATION THEREFOR.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 23-3.3-202 (2), Colorado Revised Statutes, is amended to read:

**23-3.3-202. Program funding.** (2) The commission shall not allocate more than ~~six hundred fifty~~ EIGHT HUNDRED thousand dollars under subsection (1) of this section for purposes of providing tuition assistance to members of the National Guard pursuant to section 23-5-111.4.

**SECTION 2. Appropriation - adjustment to the 2009 long bill.** (1) For the implementation of this act, the general fund appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2009, to the department of higher education, for Colorado commission on higher education financial aid, need based grants, is reduced by one hundred fifty thousand dollars (\$150,000).

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of higher education, for tuition assistance for members of the national guard, for the fiscal year beginning July 1, 2009, the sum of one hundred fifty thousand dollars (\$150,000), or so much thereof as may be necessary, for the implementation of this act.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(3) In addition to any other appropriation, there is hereby appropriated, to the department of military and veterans affairs, for tuition assistance for members of the national guard, for the fiscal year beginning July 1, 2009, the sum of one hundred fifty thousand dollars (\$150,000) reappropriated funds, or so much thereof as may be necessary, for the implementation of this act. Said sum shall be out of the moneys appropriated in subsection (2) of this section.

**SECTION 3. Act subject to petition - effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 5, 2009, if adjournment sine die is on May 6, 2009); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 11, 2009